

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL HUMAN GENES AND PROTEINS ENCODED THEREBY

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on (if applicable)

☒ was filed in the United States on June 23, 2000 as Application No. 09/602,833 (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES ☐ NO ☐
			YES ☐ NO ☐

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/140,627	6/23/99

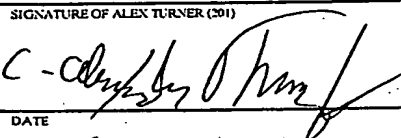
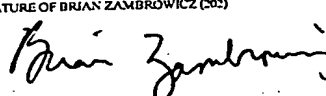
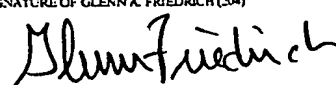
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), William S. Galliani (Reg. No. 33885), Gary S. Williams (Reg. No. 31066), Mark A. Farley (Reg. No. 33170) and Ann L. Gisolfi (Reg. No. 31956), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:		PENNIE & EDMONDS LLP 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711		DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (212) 790-2803	
201	FULL NAME OF INVENTOR	LAST NAME Turner	FIRST NAME Alex	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY The Woodlands	STATE OR FOREIGN COUNTRY Texas	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 67 Winter Wheat Place	CITY The Woodlands	STATE OR COUNTRY Texas	ZIP CODE 77381
202	FULL NAME OF INVENTOR	LAST NAME Zambrowicz	FIRST NAME Brian	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY The Woodlands	STATE OR FOREIGN COUNTRY TX	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 18 Firethorne Place	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77382
203	FULL NAME OF INVENTOR	LAST NAME Nehls	FIRST NAME Michael	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Stockdorf	STATE OR FOREIGN COUNTRY Germany	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	STREET Paul-Keller-Strasse-6	CITY Stockdorf	STATE OR COUNTRY Germany	ZIP CODE 82131
204	FULL NAME OF INVENTOR	LAST NAME Friedrich	FIRST NAME Glenn	MIDDLE NAME A.	
	RESIDENCE & CITIZENSHIP	CITY The Woodlands	STATE OR FOREIGN COUNTRY TX	COUNTRY OF CITIZENSHIP Canada	
	POST OFFICE ADDRESS	STREET 30 Reflection Point	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77381
205	FULL NAME OF INVENTOR	LAST NAME Sands	FIRST NAME Arthur	MIDDLE NAME T.	
	RESIDENCE & CITIZENSHIP	CITY The Woodlands	STATE OR FOREIGN COUNTRY TX	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 163 Bristol Bend Circle	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77382

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF ALEX TURNER (201) 	SIGNATURE OF BRIAN ZAMBROWICZ (202) 	SIGNATURE OF MICHAEL NEHLS (203)
DATE 1-16-01	DATE 12/6/00	DATE
SIGNATURE OF GLENN A. FRIEDRICH (204) 	SIGNATURE OF ARTHUR T. SANDS (205) 	
DATE 1/17/01	DATE 12/11/00	

SEND CORRESPONDENCE TO:		PENNIE & EDMONDS LLP 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711		DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (212) 790-2803	
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	POST OFFICE ADDRESS	STREET 67 Winter Wheat Place	CITY The Woodlands	STATE OR COUNTRY Texas	ZIP CODE 77381
202	FULL NAME OF INVENTOR	LAST NAME Zambrowicz	FIRST NAME Brian	MIDDLE NAME	
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	POST OFFICE ADDRESS	STREET 18 Firethorne Place	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77382
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	POST OFFICE ADDRESS	STREET Paul-Keller-Strasse-6	CITY Stockdorf	STATE OR COUNTRY Germany	ZIP CODE 82131
204	FULL NAME OF INVENTOR	LAST NAME Friedrich	FIRST NAME Glenn	MIDDLE NAME A.	
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	POST OFFICE ADDRESS	STREET 30 Reflection Point	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77381
205	FULL NAME OF INVENTOR	LAST NAME Sands	FIRST NAME Arthur	MIDDLE NAME T.	
	RESIDENCE & CITIZENSHIP	CITY The Woodlands	STATE OR FOREIGN COUNTRY TX	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 163 Bristol Bend Circle	CITY The Woodlands	STATE OR COUNTRY TX	ZIP CODE 77382

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF ALEX TURNER (201)	SIGNATURE OF BRIAN ZAMBROWICZ (202)	SIGNATURE OF MICHAEL NEHLS (203)
DATE	DATE V 3785	DATE 11/22/00
SIGNATURE OF GLENN A. FRIEDRICH (204)	SIGNATURE OF ARTHUR T. SANDS (205)	
DATE	DATE	

URNr.

V 3785/2000

Ass

Ich beglaubige die Echtheit der vor mir vollzogenen Unterschrift von

Herrn **Dr. Michael N e h l s**, geboren am 20.10.1962,
wohnhaft Paul-Keller-Str. 6, 82131 Stockdorf,
persönlich bekannt.

Nach Angabe war der beurkundende Notar, sein Sozios bzw. Notarvertreter
außerhalb seiner Amtstätigkeit nicht für die Beteiligten tätig.

München, den 22. November 2000


Thorsten I. Notarvertreter

PROSTELLE

(Convention de La Haye du 5 octobre 1961)

1. Land: Bundesrepublik Deutschland

Diese öffentliche Urkunde

2. ist unterschrieben von Torsten Langnau

- Notarassessor -

3. in seiner Eigenschaft als amtlich bestellter Vertreter
des Notars Dr. Oliver Vossius in München

4. sie ist versehen mit dem ~~XXXXXX~~/Siegel des (des) ~~XXXX~~
Notars Dr. Oliver Vossius in München

5. in München Bestätigt 23. November 2000
6. am
die Präsidentin des Landgerichtes München I
7. durch 910 a
8. unter Nr.
9. ~~XXXXXX~~ Siegel 10. Unterschrift

in Vertretung

Peter Solk
Vizepräsident



ASSIGNMENT

WHEREAS, WE, Alexander C. Turner, Jr., residing at 67 Winter Wheat Place, The Woodlands, Texas 77381, citizen of the United States, Brian Zambrowicz, residing at 18 Firethorne Place, The Woodlands, Texas 77382, citizen of the United States, Michael Nehls, residing at Paul-Keller-Strasse-6, Stockdorf, Germany 82131, citizen of Germany, Glenn A. Friedrich, residing at 30 Reflection Point, The Woodlands, Texas 77381, citizen of Canada, and Arthur T. Sands, residing at 163 Bristol Bend Circle, The Woodlands, Texas 77382, citizen of the United States, ASSIGNORS, are the inventors of the invention in NOVEL HUMAN GENES AND PROTEINS ENCODED THEREBY for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____

☒ which is identified by Pennie & Edmonds LLP docket no. 8535-036-999

☒ which was filed on June 23, 2000, Application No. 09/602,833

and WHEREAS, Lexicon Genetics Incorporated, 4000 Research Forest Dr., The Woodlands, Texas 77381, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

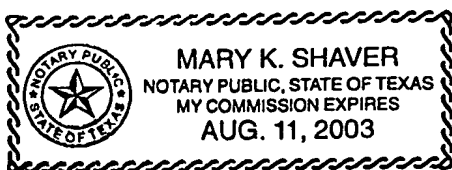
Date 1-16-01, 2000

Alexander C. Turner, Jr. L.S.

State of Texas

County of Montgomery SS.

On this 16th day of January, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Alexander C. Turner, Jr. to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

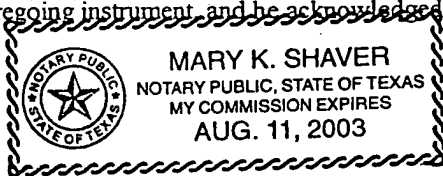


Mary K. Shaver
Notary Public.

Date 12/6/, 2000 Brian Zambrowicz L.S.

State of Texas
County of Montgomery) SS.:

On this 6th day of December, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Brian Zambrowicz, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Mary K. Shaver
Notary Public.

Date _____, 2000 _____ L.S.
Michael Nehls

State of _____)
County of _____) SS.:

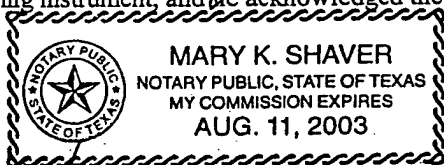
On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Michael Nehls, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date 1/17/01, 2000 Glenn A. Friedrich L.S.
Glenn A. Friedrich

State of Texas)
County of Harris) SS.:

On this 17th day of Jan., 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Glenn A. Friedrich, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



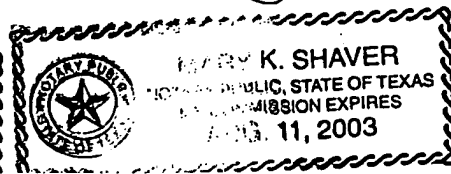
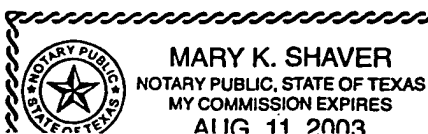
Mary K. Shaver
Notary Public.

Date 12/11, 2000 Arthur T. Sands L.S.
Arthur T. Sands

State of _____)
County of _____) SS.:

On this 11th day of December, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Arthur T. Sands, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Mary K. Shaver
Notary Public.



ASSIGNMENT

WHEREAS, WE, Alexander C. Turner, Jr., residing at 67 Winter Wheat Place, The Woodlands, Texas 77381, citizen of the United States, Brian Zambrowicz, residing at 18 Firethorne Place, The Woodlands, Texas 77382, citizen of the United States, Michael Nehls, residing at Paul-Keller-Strasse-6, Stockdorf, Germany 82131, citizen of Germany, Glenn A. Friedrich, residing at 30 Reflection Point, The Woodlands, Texas 77381, citizen of Canada, and Arthur T. Sands, residing at 163 Bristol Bend Circle, The Woodlands, Texas 77382, citizen of the United States, ASSIGNORS, are the inventors of the invention in NOVEL HUMAN GENES AND PROTEINS ENCODED THEREBY for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____

☒ which is identified by Pennie & Edmonds LLP docket no. 8535-036-999

☒ which was filed on June 23, 2000, Application No. 09/602,833

and WHEREAS, Lexicon Genetics Incorporated, 4000 Research Forest Dr., The Woodlands, Texas 77381, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____, 2000 _____ L.S.
Alexander C. Turner, Jr.

State of _____ }
County of _____ } SS.:

On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Alexander C. Turner, Jr., to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date _____, 2000 Brian Zambrowicz L.S.

State of _____ }
County of _____ } SS.:

On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Brian Zambrowicz, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date 11/22 V 3784, 2000 Michael Nehls L.S.

State of _____ }
County of _____ } SS.:

On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Michael Nehls, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date _____, 2000 Glenn A. Friedrich L.S.

State of _____ }
County of _____ } SS.:

On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Glenn A. Friedrich, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

Date _____, 2000 Arthur T. Sands L.S.

State of _____ }
County of _____ } SS.:

On this _____ day of _____, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Arthur T. Sands, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

URNr.

V 3784/2000

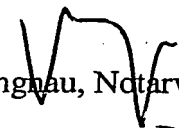
Ass

Ich beglaube die Echtheit der vor mir vollzogenen Unterschrift von

Herrn **Dr. Michael N e h l s**, geboren am 20.10.1962,
wohnhaft Paul-Keller-Str. 6, 82131 Stöckdorf,
persönlich bekannt.

Nach Angabe war der beurkundende Notar, sein Sozius bzw. Notarvertreter
außerhalb seiner Amtstätigkeit nicht für die Beteiligten tätig.

München, den 22. November 2000


Thorsten Langhau, Notarvertreter



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Land: Bundesrepublik Deutschland

Diese Urkunde ist eine

2. ist unterzeichnet von Thorsta Langnau

- Notarasessor -

3. in seiner Eigenschaft als amtlich bestellter Vertreter
des Notars Dr. Olive Vossius in München

4. sie ist versehen mit dem ~~XXXXX~~ Stempel des ~~Notar~~ XXX
Notars Dr. Oliver Vossius in München

München

Bestätigt

23. November 2000

5. in die Präsidentin des Landgerichtes München I

7. durch 910 a

8. in Vertretung



Peter Selk
Peter Selk
Vizepräsident